

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-1330-AIR-E TCEQ ID: RN100821040 CASE NO.: 34445
RESPONDENT NAME: The Hertz Corporation dba Hertz Car Rental 2183 11

Page 1 of 2

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Hertz Car Rental 2183 11, 6510 Convair Road, El Paso, El Paso County</p> <p>TYPE OF OPERATION: Vehicle rental business with gasoline dispensing</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on January 14, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Terry Murphy, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-5025; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Greg Smith, Program Manager, Fuel Systems & Engineering, The Hertz Corporation, 225 Brae Boulevard, Park Ridge, NJ 07656 Mr. Kenneth A. Wiseman, Staff Vice President, The Hertz Corporation, 225 Brae Boulevard, Park Ridge, NJ 07656 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: June 13, 2007</p> <p>Date of NOV/NOE Relating to this Case: July 26, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failure to comply with the maximum Reid Vapor Pressure ("RVP") requirement of 7.0 pounds per square inch absolute ("psia") during the control period of June 1 through September 16, 2007. Specifically, a sample taken from the unleaded gasoline at Pump No. 1 was found to have an RVP of 8.05 psia [30 TEX. ADMIN. CODE § 115.252(2) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$1,100</p> <p>Total Deferred: \$220 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$880</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent:</p> <p>a. By July 14, 2007, began dispensing the proper RVP gasoline for the control period of June 1 through September 16, 2007; and</p> <p>b. By August 27, 2007, implemented improvements to its oversight of the dispensing of the proper RVP gasoline for subsequent control periods.</p>

Additional ID No(s): AIR EE1145J



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 26, 2007

DATES	Assigned	30-Jul-2007	Screening	16-Aug-2007	EPA Due	
	PCW	2-Oct-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	The Hertz Corporation dba Hertz Car Rental 2183 11
Reg. Ent. Ref. No.	RN100821040
Facility/Site Region	6-El Paso
Major/Minor Source	Minor

CASE INFORMATION				
Enf./Case ID No.	34445	No. of Violations	1	
Docket No.	2007-1330-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Terry Murphy	
Multi-Media		EC's Team	EnforcementTeam 4	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$1,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 20% Enhancement **Subtotals 2, 3, & 7** \$200

Notes The penalty was enhanced by one 1660-style agreed order.

Culpability No 0% Enhancement **Subtotal 4** \$0

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 10% Reduction **Subtotal 5** \$100

Before NOV NOV to EDP RP/Settlement Offer

Extraordinary	
Ordinary	X
N/A	(mark with x)

Notes The Respondent returned to compliance by August 27, 2007.

Subtotal 6 \$0

Total EB Amounts \$1
Approx. Cost of Compliance \$100

0% Enhancement*
*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$1,100

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount \$1,100

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$1,100

DEFERRAL 20% Reduction **Adjustment** -\$220

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY \$880

Screening Date 16-Aug-2007

Docket No. 2007-1330-AIR-E

PCW

Respondent The Hertz Corporation dba Hertz Car Rental 2183 11

Policy Revision 2 (September 2002)

Case ID No. 34445

PCW Revision June 26, 2007

Reg. Ent. Reference No. RN100821040

Media [Statute] Air

Enf. Coordinator Terry Murphy

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

The penalty was enhanced by one 1660-style agreed order.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 20%

Screening Date 16-Aug-2007		Docket No. 2007-1330-AIR-E		PCW
Respondent The Hertz Corporation dba Hertz Car Rental 2183 11		<i>Policy Revision 2 (September 2002)</i>		
Case ID No. 34445		<i>PCW Revision June 26, 2007</i>		
Reg. Ent. Reference No. RN100821040				
Media [Statute] Air				
Enf. Coordinator Terry Murphy				
Violation Number		<div style="border: 1px solid black; padding: 2px; text-align: center;">1</div>		
Rule Cite(s)		<div style="border: 1px solid black; padding: 2px;">30 Tex. Admin. Code § 115.252(2) and Tex. Health & Safety Code § 382.085(b)</div>		
Violation Description		<div style="border: 1px solid black; padding: 2px;">Failed to comply with the maximum Reid Vapor Pressure ("RVP") requirement of 7.0 pounds per square inch absolute ("psia") during the control period of June 1 through September 16, 2007 as documented during an investigation conducted on June 13, 2007. Specifically, a sample taken from the unleaded gasoline at Pump No. 1 was found to have an RVP of 8.05 psia.</div>		
Base Penalty				<div style="border: 1px solid black; padding: 2px; text-align: right;">\$10,000</div>

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate	Minor	
	Actual	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	x	
	Potential	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	Percent <div style="border: 1px solid black; padding: 2px; text-align: right;">10%</div>

>> Programmatic Matrix

	Falsification				
	Major	Moderate	Minor		
	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>		
	Percent	<div style="border: 1px solid black; padding: 2px; text-align: right;">0%</div>			

Matrix Notes	<div style="border: 1px solid black; padding: 5px;">Human health or the environment was exposed to insignificant amounts of pollutants which did not exceed levels that are protective of human health or the environment.</div>
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Adjustment	<div style="border: 1px solid black; padding: 2px; text-align: right;">\$9,000</div>
<div style="border: 1px solid black; padding: 2px; text-align: right;">\$1,000</div>	

Violation Events

Number of Violation Events	<div style="border: 1px solid black; padding: 2px; text-align: center;">1</div>	<div style="border: 1px solid black; padding: 2px; text-align: center;">75</div>	Number of violation days
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<i>mark only one with an x</i>	daily	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	
	monthly	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	
	quarterly	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	
	semiannual	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	
	annual	<div style="border: 1px solid black; width: 40px; height: 15px;"></div>	
	single event	x	

Violation Base Penalty	<div style="border: 1px solid black; padding: 2px; text-align: right;">\$1,000</div>
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One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <div style="border: 1px solid black; padding: 2px; text-align: right;">\$1</div>	Violation Final Penalty Total <div style="border: 1px solid black; padding: 2px; text-align: right;">\$1,100</div>
This violation Final Assessed Penalty (adjusted for limits) <div style="border: 1px solid black; padding: 2px; text-align: right;">\$1,100</div>	

Economic Benefit Worksheet

Respondent The Hertz Corporation dba Hertz Car Rental 2183 11
Case ID No. 34445
Reg. Ent. Reference No. RN100821040
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$100	13-Jun-2007	27-Aug-2007	0.2	\$1	n/a	\$1
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost of implementing procedures designed to ensure the required RVP is maintained. The Date Required is the date of the investigation, and the Final Date is the date the Respondent implemented the improvements.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$100

TOTAL \$1

Compliance History

Customer/Respondent/Owner-Operator:	CN600293500	The Hertz Corporation	Classification: Average	Rating: 3.11
Regulated Entity:	RN100821040	HERTZ CAR RENTAL 2183 11	Classification: Average	Site Rating: 5.00
ID Number(s):	AIR NEW SOURCE PERMITS PETROLEUM STORAGE TANK REGISTRATION	ACCOUNT NUMBER REGISTRATION	EE1145J 31381	
Location:	6510 CONVAIR RD, EL PASO, TX, 79925	Rating Date: September 01 06	Repeat Violator:	NO
TCEQ Region:	REGION 06 - EL PASO			
Date Compliance History Prepared:	August 16, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	August 16, 2002 to August 16, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Terry Murphy	Phone:	(512) 239-5025	

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
- | | | | |
|-----------------|--|-------------------------|-----------------|
| Effective Date: | 11/26/2004 | 1660-style Admin. Order | 2003-0625-AIR-E |
| Classification: | Moderate | | |
| Citation: | 30 TAC Chapter 114, SubChapter D 114.100(a)
5C THC Chapter 382, SubChapter A 382.085(b) | | |
| Description: | Failure to meet the minimum oxygen content requirement. | | |
- B. Any criminal convictions of the state of Texas and the federal government.
- N/A
- C. Chronic excessive emissions events.
- N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
- | | | |
|---|------------|----------|
| 1 | 12/18/2002 | (17650) |
| 2 | 08/26/2003 | (145548) |
| 3 | 11/04/2003 | (253789) |
| 4 | 11/20/2003 | (254951) |
| 5 | 08/02/2004 | (283515) |
| 6 | 04/12/2005 | (376042) |
| 7 | 04/14/2005 | (350595) |
| 8 | 03/31/2006 | (439034) |
| 9 | 07/26/2007 | (566143) |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- F. Environmental audits. N/A
- G. Type of environmental management systems (EMSs). N/A
- H. Voluntary on-site compliance assessment dates. N/A
- I. Participation in a voluntary pollution reduction program. N/A
- J. Early compliance. N/A
- Sites Outside of Texas N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
THE HERTZ CORPORATION DBA
HERTZ CAR RENTAL 2183 11
RN100821040**

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**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-1330-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding The Hertz Corporation dba Hertz Car Rental 2183 11 ("Hertz") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Hertz appear before the Commission and together stipulate that:

1. Hertz owns and operates a vehicle rental business with gasoline dispensing at 6510 Convair Road in El Paso, El Paso County, Texas (the "Site").
2. The Site consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and Hertz agree that the Commission has jurisdiction to enter this Agreed Order, and that Hertz is subject to the Commission's jurisdiction.
4. Hertz received notice of the violations alleged in Section II ("Allegations") on or about July 31, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Hertz of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of One Thousand One Hundred Dollars (\$1,100) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations").

Hertz has paid Eight Hundred Eighty Dollars (\$880) of the administrative penalty and Two Hundred Twenty Dollars (\$220) is deferred contingent upon Hertz' timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Hertz fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Hertz to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Hertz have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that Hertz:
 - a. By July 14, 2007, began dispensing the proper Reid Vapor Pressure ("RVP") gasoline for the control period of June 1 through September 16, 2007; and
 - b. By August 27, 2007, implemented improvements to its oversight of the dispensing of the proper RVP gasoline for subsequent control periods.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Hertz has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Site, Hertz is alleged to have failed to comply with the maximum RVP requirement of 7.0 pounds per square inch absolute ("psia") during the control period of June 1 through September 16, 2007, in violation of 30 TEX. ADMIN. CODE § 115.252(2) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 13, 2007. Specifically, a sample taken from the unleaded gasoline at Pump No. 1 at the Site was found to have an RVP of 8.05 psia.

III. DENIALS

Hertz generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Hertz pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Hertz' compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: The Hertz Corporation dba Hertz Car Rental 2183 11, Docket No. 2007-1330-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088
2. The provisions of this Agreed Order shall apply to and be binding upon Hertz. Hertz is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Site operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against Hertz in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Hertz, or three days after the date on which the Commission mails notice of the Order to Hertz, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

[Signature]
For the Executive Director

12/7/07
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Kenneth A. Wisniewski
Signature
KENNETH A. WISNIEWSKI
STAFF VICE PRESIDENT
FACILITIES AND CONSTRUCTION
THE HERTZ CORPORATION
225 BRAE BOULEVARD
PARK RIDGE, NJ 07656



10/23/2007
Date

Name (Printed or typed)
Authorized Representative of
The Hertz Corporation dba Hertz Car Rental 2183 11

10/23/2007 Staff Vice President
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.



NEW YORK, NY
STAFF VICE PRESIDENT
FACILITIES AND COMMUNICATIONS
THE MENTAL CORPORATION
333 BRADY BOULEVARD
PARK RIDGE, NJ 07658